

Message Text

UNCLASSIFIED

PAGE 01 STATE 120421

41

ORIGIN L-03

INFO OCT-01 EUR-06 ISO-00 JUSE-00 SCSE-00 SCA-01 /011 R

DRAFTED BY L/M/SCA:TJTALLERICO:EJS

APPROVED BY L/M/SCA:HFSHAMWELL

EUR/IB - MR. MCCOWN (PHONE)

INTERPOL - MR. GIANNOULES (PHONE)

JUSTICE - MR. STEIN (PARA 3)

SCA/SCS - MR. HUGHES (PHONE)

-

----- 072200

P 071638Z JUN 74

FM SECSTATE WASHDC

TO AMEMBASSY MADRID PRIORITY

UNCLAS STATE 120421

E.O. 11652: N/A

TAGS: PFOR, CPRS, SP

SUBJECT: EXTRADITION (RICHTER MONTERO, JOSE - AKA
RIVERA, GEORGES (JORGE) AKA CABALLERO, HUGO ANDRES)

REF: MADRID 3514

1. DEPARTMENT LEGAL OFFICER HAS COMMUNICATED SUBSTANCE
REFTEL TO SONNER. HE WILL ATTEMPT TO HAVE MATERIALS
READY SHORTLY. THERE IS OBVIOUS POSSIBILITY, HOWEVER,
THAT DEADLINE CANNOT BE MET.
2. SITUATION HAS RECEIVED PRESS ATTENTION HERE. EMB
REQUESTED PROVIDE CLARIFICATION RE DEVELOPMENTS THIS CASE.
WHEN WAS SUBJECT ARRESTED? ON WHAT CHARGES, I.E. SPANISH
OR AMERICAN? WHY DO SPANISH BELIEVE PROVISIONAL ARREST
REQUEST HAS BEEN MADE? ARE SPANISH CHARGES STILL PENDING?
IF ANSWER TO LAST QUESTION AFFIRMATIVE, WILL SUBJECT REMAIN
IN JAIL EVEN IF THIRTY DAY PERIOD EXPIRES?
3. IN THE EVENT THAT APPROPRIATE SPANISH AUTHORITIES
INDICATE THAT REQUEST WAS NEVER MADE OR THAT A REQUEST WAS
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 120421

MADE BY ANY MEANS OTHER THAN OFFICIAL COMMUNICATION FROM

EMBASSY OR US DEPT JUSTICE, EMB SHOULD RAISE QUESTION WHETHER TREATY PROVISIONS ARE PROPERLY INVOKED. THAT IS, ARTICLE XI OF TREATY PROVIDES THAT PROVISIONAL ARREST REQUEST CAN BE MADE THROUGH DIPLOMATIC CHANNEL OR BETWEEN

QTE RESPECTIVE MINISTRIES OF JUSTICE UNQTE. LATTER PHRASE WOULD REFER ONLY TO US DEPT JUSTICE. INFORMAL STATEMENTS MADE BY OTHER PERSONS WOULD NOT AMOUNT TO INVOCATION OF ARTICLE XI PROVISIONS AND SHOULD NOT RESULT IN RUNNING OF THIRTY DAY PERIOD. FYI INTERPOL WASHINGTON INDICATES THEIR CABLES MERELY REQUESTED DEPORTATION. PROVISIONAL ARREST WAS NOT MENTIONED. FBI WASHINGTON ADVISES THEY LIKEWISE MADE NO MENTION OF PROVISIONAL ARREST. END FYI.

4. IN THE EVENT THAT NO PROPER ARREST REQUEST WAS MADE AND IN THE EVENT THAT SUBJECT IS STILL JAILED PURSUANT TO SPANISH CHARGES, EMB SHOULD DISCUSS POSSIBILITY OF SPANISH AUTHORITIES CONSIDERING THAT TREATY PROVISIONS NOT YET INVOKED. IF SPANISH ACCEPT THIS VIEW OF SITUATION, EMB SHOULD PRESENT FORMAL NOTE RESPONDING TO NOTE REFERRED TO REFTEL. NOTE SHOULD INDICATE THAT NO REQUEST HAS YET BEEN MADE BUT THAT USG AUTHORITIES ARE INTERESTED IN SUBJECT AND WOULD APPRECIATE BEING INFORMED IN ADVANCE IF IT APPEARS THAT SUBJECT WILL BE RELEASED ON SPANISH CHARGES.

5. FYI. IN ATTEMPT TO EXPLAIN WHY SPANISH THINK REQUEST FORMALLY MADE, SONNER IN EFFECT ACCUSED EMB OFFICER OF ACTING QTE ULTRA VIRES UNQTE, I.E. HE BELIEVES SOMEONE IN EMB MADE UNAUTHORIZED REQUEST. SONNER THINKS CONSULAR PROTECTION AND WELFARE OFFICER IS RESPONSIBLE. END FYI.
KISSINGER

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, ARRESTS
Control Number: n/a
Copy: SINGLE
Draft Date: 07 JUN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE120421
Document Source: CORE
Document Unique ID: 00
Drafter: TJTALLERICO:EJS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740146-0459
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740664/aaaacczz.tel
Line Count: 92
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: MADRID 3514
Review Action: RELEASED, APPROVED
Review Authority: martinjw
Review Comment: n/a
Review Content Flags:
Review Date: 18 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <18 SEP 2002 by PhilliR0>; APPROVED <08 JAN 2003 by martinjw>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION (RICHTER MONTERO, JOSE - AKA RIVERA, GEORGES (JORGE) AKA CABALLERO, HUGO ANDRES)
TAGS: PFOR, CPRS, SP, (RICHTER MONTERO, JOSE), (RIVERA, GEORGE)
To: MADRID
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005